

221653



Gabriel S Meyer
Assistant General Attorney

February 20, 2008

Via Electronic Filing

Ms Anne K Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S W
Washington, D. C. 20423

**RE: Docket No. STB No. AB-33 (Sub-No. 255), Union Pacific Railroad
Company - Abandonment - In Carver and Scott Counties, Minnesota,
(Chaska Industrial Lead)**

Dear Ms Quinlan:

Union Pacific Railroad Company ("UP") has received a request from the Office of Carver County Regional Railroad Authority ("CCRRA") requesting a Public Use Condition and the issuance of an Interim Trail Use Condition for UP's Chaska Industrial Lead, which extends from Milepost 38.6 at Merriam, Scott County, to Milepost 33.0 in Chaska, Carver County, a distance of 5.6 miles in the State of Minnesota (the "Line")

UP is willing to negotiate with CCRRA concerning the acquisition of the Line for trail use for a period of 180 days following abandonment authorization. A copy of CCRRA's request is attached to this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gabriel S. Meyer".

Gabriel S Meyer

Attachments



Office of Carver County Regional Railroad Authority
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

January 24, 2008

Gabriel S Meyer
Union Pacific Railroad
1400 Douglas Street
STOP 1580
Omaha, NE 68179

Re: Union Pacific Railroad Abandonment of the Union Pacific Rail Line in Carver and Scott Counties, STB Docket No. AB-33(Sub No. 255)

Dear Mr Meyer

This request is filed on behalf of The Minnesota River Valley Rail Preservation Project ("Project"), which is a collaboration of five bodies politic existing under the laws of the State of Minnesota interested in transportation, recreation and public utilities hereinafter referred to as "proponent "

The Carver County Regional Rail Authority (CCRRA) on behalf of the proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization of the Chaska Industrial Lead from Milepost 38.6 near Meniam to Milepost 33.0 near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota

A. Request For Public Use Condition

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, public utilities, future rail use and other public transportation uses, flood protection levee, and to place the following conditions on the abandonment

1. An order prohibiting the carrier from disposing of the corridor. Justification for this condition is the rail corridor in question is planned for future transportation, utilities and recreation purposes and will connect to the metropolitan area regional trail system. The corridor will make an excellent interim trail and is a part of Carver County's Comprehensive Plan, and is included in Scott County's draft Comprehensive Plan Update. Secondly, a portion of the corridor serves as a flood protection levee for the City of Carver. In addition, the corridor provides an important wildlife habitat, open space, a public utility corridor and its preservation as an interim recreational trail is consistent with those purposes. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time to assemble and review title information and to commence negotiations with Union Pacific Railroad Company

REC'D UPRR
JAN 28 2008
LAW DEPT

Gayle O. Degler
County Commissioner
District #1

Tom Workman
County Commissioner
District #2

Randy Maluchnik
County Commissioner
District #3

Tim Lynch
County Commissioner
District #4

James M. Ische
County Commissioner
District #5

2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period sought is 180 days from the effective date of the abandonment authorization for the same reasons as indicated above

B. Request For Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request

STATEMENT OF WILLINGNESS TO ASSUME

FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, the proponent is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by Union Pacific Railroad Company, providing the negotiations between proponent and the Union Pacific result in an acceptable purchase price

The property, known as the Chaska Industrial Lead, extends from Milepost 38.6 near Merriam to Milepost 33.0 near Chaska, a distance of 5.6 miles in Carver and Scott Counties, Minnesota. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-33 (SubNo. 255)

A map depicting the right-of-way is attached.

The proponent acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service

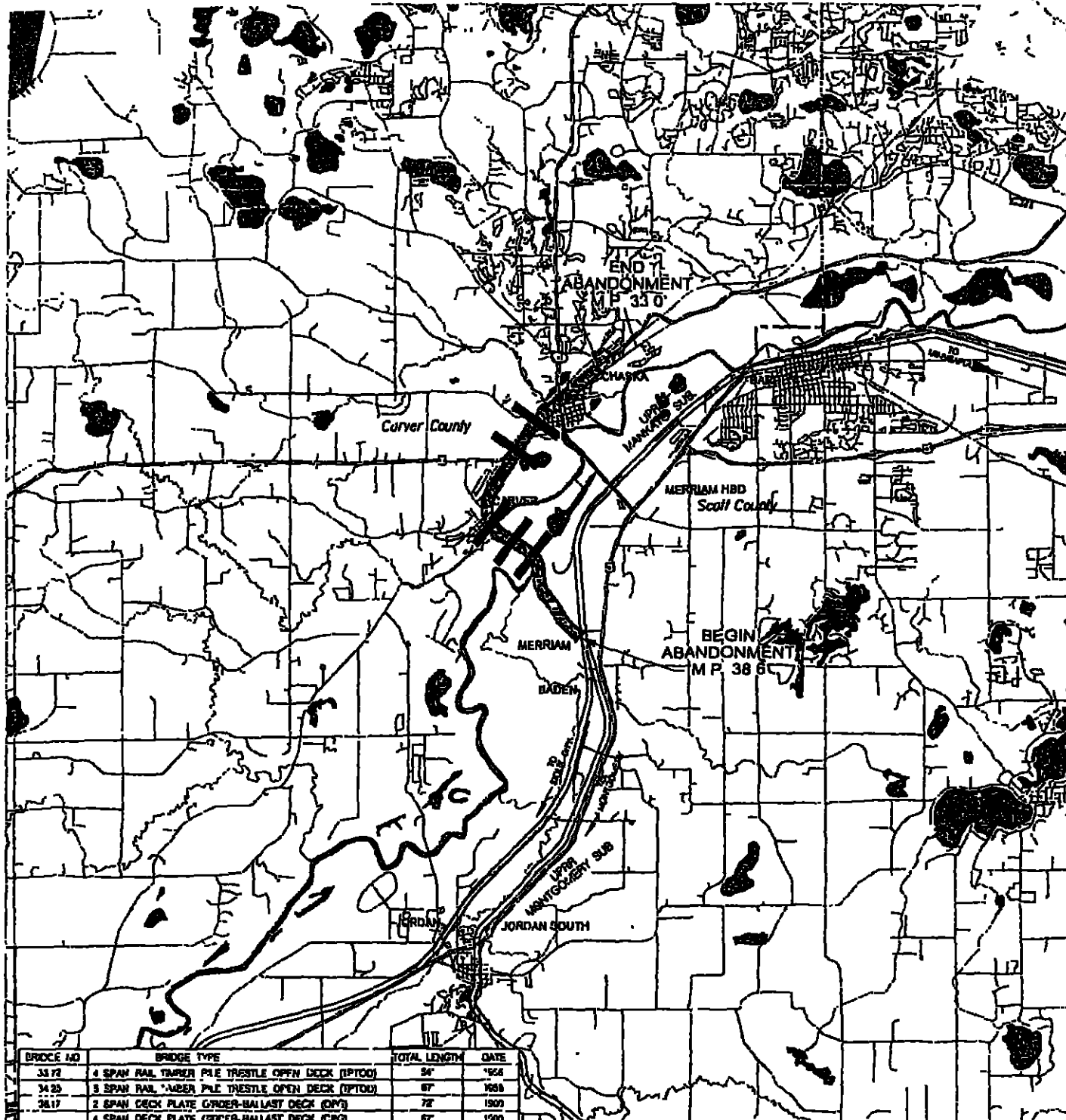
CERTIFICATE OF SERVICE

By my signature below, I certify service upon Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha, NE 68179-1580 by U.S. Mail, postage pre-paid, first class, this 24th day of January, 2008

Respectfully submitted,

 Board Chair
Jim Ische

Carver County Regional Railroad Authority on behalf of
The Minnesota River Valley Rail Preservation Project



BRIDGE NO	BRIDGE TYPE	TOTAL LENGTH	DATE
33.72	4 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	54'	1956
34.25	3 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	87'	1968
36.17	2 SPAN DECK PLATE GYDER-BALLAST DECK (DPM)	72'	1909
	4 SPAN DECK PLATE GYDER-BALLAST DECK (DPM)	67'	1909
	1 SPAN BEAM	32'	1900
	20 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	371'	1900
36.77	30 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	529'	1954
37.14	10 SPAN RAIL TIMBER PILE TRESTLE OPEN DECK (TPTOD)	136'	1947

LEGEND

- UPRR LINES TO BE ABANDONED
- OTHER UPRR LINES
- OTHER RAILROADS
- RAILROADS (abandoned)
- PRINCIPAL HIGHWAYS
- OTHER ROADS
- 50+ YEAR OLD STRUCTURES

CHASKA INDUSTRIAL LEAD

MP 33.0 TO MP 38.6
TOTAL OF 5.60 MILES
1.23 MILES IN CARVER COUNTY
2.37 MILES IN SCOTT COUNTY

UNION PACIFIC RAILROAD CO.
CHASKA INDUSTRIAL LEAD
MINNESOTA

INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: Q:\abandonments\ab33_255_chaska_v8.dgn

DATE 10-Apr-07 11:19

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via first class mail, postage prepaid, upon all parties of record in Docket No STB No AB-33 (Sub-No 255), on the 20th day of February, 2008

Dated this 20th day of February, 2008

A handwritten signature in cursive script, appearing to read "Gabriel S. Meyer", written over a horizontal line.

Gabriel S Meyer